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MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS MN 55402-0903

In re Application of :
Stephen M. Lewiset al :
Serial No.: 10/798,226 : PETITION TO MAKE SPECIAL
Filed: March 10, 2004 :
Attorney Docket No.: 14263.2 :

This is in response to the petition filed February 2, 2006, to make the above-identified application special under the provisions of 37 CFR 1.102(c), based environmental quality and also as relating to energy.

Applicant petitions on the basis that the invention will enhance the quality of the environment. M.P.E.P. 708.02, Part V, gives guidance in this matter, as follows:

The Patent and Trademark Office will accord "special" status to all patent applications for inventions which **materially enhance** the quality of the environment of mankind **by contributing to the restoration or maintenance of the basic life - sustaining natural elements - air, water, and soil.**

All applicants desiring to participate in this program should petition that their applications be accorded "special" status. Such petitions should be accompanied by verified statements under 37 CFR 1.102 by the applicant or assignee or statements by an attorney/agent registered to practice before the PTO ** explaining how the inventions contribute to the restoration or maintenance of one of these life - sustaining elements. No fee is required for such a petition, 37 CFR 1.102(c).

Applicant's claims are directed to a method of processing raw starch into ethanol without "cooking" the starch and then drying the residue in such a manner as to reduce stack emissions significantly so as to contribute to the maintenance of air.

Applicant petitions on the basis that the invention will enhance the quality of the environment. M.P.E.P. 708.02, Part VI, gives guidance in this matter, as follows:

The U.S. Patent and Trademark Office will, on petition, accord "special" status to all patent applications for inventions which materially contribute to (A) the discovery or development of energy resources, ... Examples of inventions in category (A) would be developments in fossil fuels (natural gas, coal, and petroleum), hydrogen fuel technologies, nuclear energy, solar energy, etc.

Further, although the development of energy resources generally relates to fossil fuels, the development of ethanol as a replacement in whole or in part for fossil fuels is a significant development of a renewable fuel resource and is encouraged by the government.

Applicant's petition is **GRANTED** on both bases.

The application will be forwarded to an examiner for further consideration.

Should there be any questions with regard to this letter please contact William R. Dixon, Jr. by letter addressed to the Director, Technology Center 1600, PO BOX 1450, ALEXANDRIA, VA 22313-1450, or by telephone at 571-272-0519 or by facsimile transmission to the general Office facsimile number, 571-273-8300.

A handwritten signature in black ink, appearing to read 'William R. Dixon, Jr.', is positioned above the printed name.

William R. Dixon, Jr.
Special Program Examiner
Technology Center 1600